

AGENDA

COMMITTEE ON COMMUNITY IMPROVEMENT

December 6, 2004
Aldermen O'Neil, Shea,
Garritty, Smith, Lopez

4:00 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman O'Neil calls the meeting to order.
2. The Clerk calls the roll.
3. Request for project extensions through June 30, 2005.
Ladies and Gentlemen, what is your pleasure?
4. Amending Resolution and Budget Authorization providing for increase of \$294,350 in federal funds for Health Department CIP #210902 Substance Abuse Prevention and Treatment Program.
Ladies and Gentlemen, what is your pleasure?
5. Resolutions and Budget Authorizations providing for transfer of \$49,307.04 in bond funds from Cohas Brook Fire Station project #411403 to #510005 Park Facilities Improvement Program for costs associated with Raco Theodore Pool.
Ladies and Gentlemen, what is your pleasure?
6. Sewer abatement request – 22 Appleton Street
(*Note: awaiting report of EPD.*)
Ladies and Gentlemen, what is your pleasure?
7. Communication from Dayton and Concepcion Spaulding regarding drainage issues in the Pasture Drive development area.
Ladies and Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

8. Parks, Recreation & Cemetery Master Plan discussion.
(*Tabled 08/10/2004*)

9. Gill Stadium operating funds estimated \$93,000.
(11/09/2004 remained tabled to find funds; Parks, Finance & Planning to meet with Committee at future date to discuss elimination of Gill Stadium from Enterprise funding.)
10. If there is no further business a motion is in order to adjourn.

MEMORANDUM

To: Committee on Community Improvement Program

From: Robert S. MacKenzie
Director of Planning

Date: December 1, 2004

Subject: Project Extensions

The following projects are requested to be extended until June 30, 2005:

<u>Year</u>	<u>Fund Type</u>	<u>Project #</u>	<u>Project Name</u>
2004	Other	210004	Adolescent Pregnancy Prevention
2004	Other	210104	Adolescent Substance Abuse Treatment – Health
2004	Other	210404	Homeless Health Care
2004	Other	210704	Public Health Preparedness – Health
2004	Other	211004	School Based Dental Health – Health
2004	Other	211204	Tobacco Prevention – Health
2004	CDBG	212104	Center City Disease – Health
2004	Other	214704	Lead Safe for Kids Sake
2004	Other	410704	Streetsweeper
2004	Cash	411104	Dilapidated Building Demolition – Building
2004	Cash	411204	Hazard Tree Removal
	CDBG/Cash/		
2004	Donations	510104	Project Greenstreets – Parks
2004	CDBG	510704	Youth Recreation Program – Parks
2004	Other	511704	Derryfield Country Club Rehab. – Parks
2004	CDBG	610104	Capital Improvement – FIT
2004	CDBG	610304	Capital Repairs – Helping Hands
2004	CDBG	610804	ADA Compliance – Planning
2004	CDBG	611104	Healthy Home
2004	Home	611304	Tenant Assistance – Way Home
2004	Other	612104	McQuade Building Renovation Project
2004	Cash	710404	Bus Stop Signs – MTA
2004	CDBG	710704	Central Neighborhood Infrastructure – Highway
2004	CDBG	710804	Infrastructure ADA Access Improvements
2004	Cash	710904	Annual Bridge Maintenance – Highway
2004	Cash	711004	Annual ROW Maintenance – Highway
2004	Cash	711104	Chronic Drain – Highway
2004	Cash	711304	Parking Facilities Inspection – Traffic
2004	Other	713004	Crystal Lake Water Quality Improvement
2004	Cash	810304	Employee Training & Development
2004	Other	810704	Archival Conservation Grant
2003	Other	210503	Homeless Health Care – Health
2003	ESG	213203	Angie's Shelter/Rehab. Project – New Horizons

Shared/CIP/Project Extensions

2003	Other	215803	Air Quality Related Health
2003	Other	216003	Oral Health Services
2003	CASH	411103	Hazardous Material – Fire Department
2003	CDBG	610503	Dilapidated Building – Building
2003	CDBG	611003	Revolving Loan Fund – MEDO
2003	Other	612803	Section 108 Economic Development Initiatives
2003	CDBG	710503	Sidewalk Discretionary – Highway
2003	CASH	710603	Annual Bridge Maintenance – Highway
2003	Other	711503	TIP Improvement Project (Candia Road)
2003	Other	711803	CRPS Mechanical Bar Screen
2003	Other	712103	S. Mammoth Road Phase 3
2003	Other	713303	So. Willow Street Area Improvements
2003	Other	713403	Wetlands Mitigation Project
2003	Other	713603	Northwest Traffic Improvement
2003	Other	713803	Major R.O.W. Improvement Projects
2003	Other	714103	Sewer Infrastructure
2003	CDBG/Cash	810303	Community Development Initiatives
2003	CDBG	810403	Federal/State Resource Originator
2003	Other	811103	Senior Center – Highway Bldg. Maintenance
2002	Other	210902	Substance Abuse Prevention & Treatment – Health
2002	CDBG	310102	Expansion of MCRC
2002	Other	510202	Piscataquog Trailway
2002	CASH	611902	Dilapidated Building Demolition
2002	Other	613402	Bridge & Elm Development (Section 108)
2002	Other	712002	FBI Blower
2002	Other	714002	Urban Ponds Restoration Grant
2002	Other	810102	Valley Cemetery Facility Upkeep
2002	CDBG	810502	Community Development Initiatives
2002	Other	811102	Wetland Inventory Evaluation
2001	Other	221601	Health Disparities Program
2001	Other	511401	Recreational Improvement Fund
2001	Other	7110C1	PW Infrastructure Candia Road
2001	Other	840001	MCTV-PEG Access Grant
2000	CASH	840100	Sign Language Interpreters – HR
1999	Other	640399	City Historic Preservation Fund
1999	Other	711099	Hackett Hill Road Area Improvements

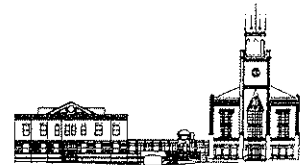


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

Memo to: Members of the Committee on Community Improvement Program

From: Robert S. MacKenzie
Director of Planning

Date: December 6, 2004

Subject: Health Department – CIP #210902 – Substance Abuse Prevention and Treatment Program

The Health Department has notified us that the City has received additional grant funds totaling \$294,350 from the United States Department of Health and Human Services to provide substance abuse prevention and treatment programming in Manchester.

As such, we have prepared the appropriate Amending Resolution and budget authorization forms necessary for additional programming.

Your review of these documents and a recommendation for approval to the full Board is respectfully requested.

Attachments:

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City of Manchester New Hampshire

In the year Two Thousand and Four

A RESOLUTION

"Amending the FY2002 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Ninety Four Thousand Three Hundred Fifty Dollars (\$294,350) for the 2002 CIP 210902 Substance Abuse Prevention and Treatment Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2002 CIP as contained in the 2002 CIP budget; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funding in the amount of \$294,350 from the United States Department of Health and Human Services - Substance Abuse and Mental Health Services Administration for the implementation of the Substance Abuse Prevention and Treatment Program;

NOW, THEREFORE, be it resolved that the 2002 CIP be amended as follows:

By increasing:

FY2002 CIP 210902 Substance Abuse Prevention and Treatment Program - \$294,350 Federal
(From \$948,426 Federal to \$1,242,776 Federal)

Resolved, that this Resolution shall take effect upon its passage.

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CIP BUDGET AUTHORIZATION

CIP#: 210902 Project Year 2002 CIP Resolution: 6/11/2001
 Title: Substance Abuse Prevention and Treatment Amending Resolution: 12/7/2004
 Administering Department: Health Department Revision: #3

Project Description

Provide inpatient and outpatient services to treat Manchester youth with substance abuse issues.

Federal Grants

Federal Grant: No Environmental Review Required: No
 Grant Executed: Completed: NA

Critical Events

1	Program Initiation	5/01/2002
2	Program Completion	6/30/05
3		
4		
5		

Expected Completion Date: 6/30/2005

Line Item Budget

	Federal		Other Funds	TOTAL
Salaries and Wages	\$390,174.00	\$0.00	\$0.00	\$390,174.00
Fringes	\$94,656.00	\$0.00	\$0.00	\$94,656.00
Design/Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Fees	\$675,885.00	\$0.00	\$0.00	\$675,885.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$82,061.00	\$0.00	\$0.00	\$82,061.00
TOTAL	\$1,242,776.00	\$0.00	\$0.00	\$1,242,776.00

Revisions

- #1 - Total budget increased from \$300,000 to \$470,012 due to the receipt of additional grant funds.
- #2 - Total budget increased from \$470,012 to \$948,426 due to the receipt of additional grant funds.
- #3 - Total budget increased \$294,350 from \$948,426 to \$1,242,776 due to the receipt of additional grant funds.

COMMENTS:

Grant start and end dates determined by the grantor.

City of Manchester New Hampshire

In the year Two Thousand and Four

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Nine Thousand Three Hundred Seven Dollars and Four Cents (\$49,307.04) for the 2005 CIP 510005 Park Facilities Improvement Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That: Pursuant to RSA 33:33-a there is hereby authorized to be expended for purposes stated in Section 3 of the Municipal Finance Act, the sum of Forty Nine Thousand Three Hundred Seven Dollars and Four Cents from the balance of bonds authorized as follows:

Section 1.

From:

2003 CIP 411403, Cohas Brook Fire Station

Amount Transferred: \$49,307.04

Original Resolution Adopted: October 1, 2002

Original Amount: \$700,000

To:

2005 CIP 510005, Park Facilities Improvement Program

Section 2. Resolved, that this Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Four

A RESOLUTION

“Amending the FY2003 and 2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Forty Nine Thousand Three Hundred Seven Dollars and Four Cents (\$49,307.04) for the 2005 CIP 510005 Park Facilities Improvement Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2003 and 2005 CIP as contained in the 2003 and 2005 CIP budget; and

WHEREAS, Table 4 contains all sources of General Obligation funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to provide additional funds for the construction of Raco Theodore Pool; and

WHEREAS, funds from Cohas Brook Fire Station in the amount of \$49,307.04 are available;

NOW, THEREFORE, be it resolved that the 2003 and 2005 CIP be amended as follows:

By decreasing:

FY2003 CIP 411403 – Cohas Brook Fire Station - \$49,307.04 Bond
(from \$620,000.00 Bond; \$80,000.00 Impact Fees to \$570,692.96 Bond; \$80,000.00 Impact Fees)

By increasing:

FY2005 CIP 510005 – Park Facilities Improvement Program - \$49,307.04 Bond
(from \$2,410,000.00 Bond; \$612,312.00 Federal to \$2,459,307.04 Bond; \$612,312.00 Federal)

Resolved, that this Resolution shall take effect upon its passage.

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CIP BUDGET AUTHORIZATION

CIP #: **510005** Project Year: **2005** CIP Resolution: **6/1/2004**
 Title: **Park Facilities Improvement Program** Amending Resolution **12/7/2004**
 Administering Department: **Parks, Recreation & Cemetery** Revision: **#1**

Project Description Rehabilitation and construction of various park facilities to include: Raco Theodore Pool, Piscataquog River Park/West Junior Deb Fields, Precourt Park, Brown-Mitchell Park, Derryfield Park, Piscataquog Rail Trail and South Manchester Rail Trail.

Federal Grants Federal Grant: **Yes** **Environmental** Review Required: **No**
 Grant Executed: Completed:

Critical Events

1	Design/Engineering	7/21/04 - 12/31/04
2	Bid Projects	7/21/04 - 3/15/05
3	Construction	8/1/04 - 12/31/05
4		
5		

Expected Completion Date: **12/31/2005**

Line Item Budget

	BOND	FEDERAL		TOTAL
Salaries and Wages	\$0.00	\$0.00	\$0.00	\$0.00
Fringes	\$0.00	\$0.00	\$0.00	\$0.00
Design/Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Planning	\$280,000.00	\$0.00	\$0.00	\$280,000.00
Consultant Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$2,179,307.04	\$612,312.00	\$0.00	\$2,791,619.04
Other	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL	\$2,459,307.04	\$612,312.00	\$0.00	\$3,071,619.04

Revisions

Revision #1 - adds \$49,307.04 of Bond funds from 411403 Cohas Brook Fire Station.

COMMENTS

Funds in the amount of \$49,307.04 received from 411403 and will be used for the construction of Raco Theodore Pool.

CIP BUDGET AUTHORIZATION

CIP #: **411403** Project Year **2003** CIP Resolution: **6/4/2002**
 Title: **Cohas Brook Fire Station** Amending Resolution **12/7/2004**
 Administering Department: **Fire Department** Revision: **#2**

Project Description: Construction of a new fire station in the east section of the City in order to adequately protect the rapidly expanding population and property.

Federal Grants Federal Grant: **No** **Environmental** Review Required: **No**
 Grant Executed: Completed:

Critical Events

1	Program Initiation	07/01/02
2	Program Completion	06/30/05
3		
4		
5		

Expected Completion Date: **6/30/2005**

Line Item Budget

	BOND	Impact Fees		TOTAL
Salaries and Wages	\$0.00	\$0.00	\$0.00	\$0.00
Fringes	\$0.00	\$0.00	\$0.00	\$0.00
Design/Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$570,692.96	\$0.00	\$0.00	\$570,692.96
Other	\$0.00	\$80,000.00	\$0.00	\$80,000.00
TOTAL	\$570,692.96	\$80,000.00	\$0.00	\$650,692.96

Revisions

Revision #1 - Adds \$80,000 of Impact Fees and transfers \$80,000 Bond funds to 511502 - School Site Improvements Program
 Revision #2 - transfers \$49,307.04 of Bond funds to 510005 Park Facilities Improvement Program.

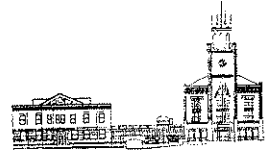
COMMENTS

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CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

- MEMORANDUM -

TO: T. Seigle
EPD

FROM: Paula L-Kang *PLK*
Deputy Clerk

DATE: November 24, 2004

RE: SEWER ABATEMENT REQUEST
Jeff Kassell
22 Appleton Street

A request was made by the above-referenced individual for a sewer abatement based on water usage due to watering of his lawn.

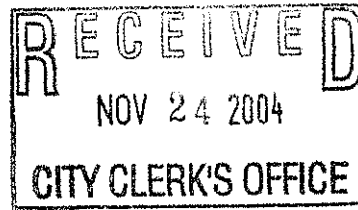
I would appreciate your reviewing the matter and responding back to my attention.

Enclosure

To: Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

11/22/04

From: Jeff Kassel
22 Appleton Street
Manchester, NH 03104



Subj: Request for Sewer Charge Abatement (Account #17893-12136)

1. I had a conversation with Mr. Seigle about my sewer bill which was about 5 times higher than normal due to my putting in a lawn this spring and summer. I also had a visit by the water department at their initiative because my water bill was high this year. They inspected my plumbing and concluded the increased water bill which was also about 5 times higher than normal was due to watering a new lawn which I watered every day.
2. I complained to Mr. Seigle that I paid my water bill because I did use the water but I objected to paying a sewer bill for sewer usage I did not get. As you must realize, the sewer usage is based on water usage as defined by a water meter. There is no independent measure of sewer line usage. Since I watered my lawn, all the water seeped into the ground rather than through the sewer line so I didn't think I should be billed for it.
3. I had never put in a lawn before and my water and sewer bills have been very consistent over the years. In the summers they were slightly higher because of some watering of flowers and plants but I had never put in a whole lawn. I just watered plants. This year I watered an entire lawn everyday.
4. I was told by Mr. Seigle about a "deduct meter" which would subtract my lawn water use from the sewer bill, but this was the first time I had heard of such a thing. I was also told that I would have to buy such a meter and pay to have it installed; he also said it would cost hundreds of dollars. He said any water used to water my lawn would be deducted from my sewer bill defined by my water usage.
5. While I understand why the sewer department uses the water meter, this

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reading to measure sewer usage is highly flawed since it assumes any water that comes into the house will leave via the sewer line, which is untrue. Mr. Seigle admitted that many people who have a sprinkler system are overcharged for sewer usage because the measure of sewer use is predicated on water meter readings and most of the water does not go through the sewer lines but actually onto the grass and into the ground. The measuring system used by the sewer department is highly flawed and it seems incumbent on the sewer department to adequately measure usage of their service without charging for a new meter. The water department does not charge for a meter nor does the gas company. PSNH puts in meters too. I don't think I've ever been charged. I doubt that this is the first time you have heard these complaints.

6. I was told about the appeal process for sewer abatement by the staff of the sewer department and Mr. Seigle, and this letter represents my appeal. I am astonished that the Aldermen and Mayor must rule on this minor issue but I am told this is the procedure. I am including some of my past bills which indicate that I have been overcharged. Most of my bills are not for \$220.00 but between \$25 and \$40. In the warm weather my bills trend up slightly towards \$40 but that is because I watered flowers in the past. This past year was when I put in an entire lawn when the bill was well over \$200. If the sewer department does not rebate my money back, it will mean that they are charging me for services I have not used. That sounds like theft to me.

Jeff Kassel
22 Appleton Street
Manchester, NH 03104

Jeffkassel@comcast.net

668-1979

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Functions Options Help



11/08/2004 9:40:27 AM

Customer ID 17893 Name KASSEL, JEFFREY S
Location ID 12136 Address 22 APPLETON ST

Cycle/Route 02 / 02 Amount due 209.40
Initiation date 1/01/42 Pending .00
Termination date Customer/Location status A

Display

Transaction Type	Transaction Date	Description	Amount	Reference Date	Running Balance	
BL BILL	10/19/04	CYCLE BILL	209.40	10/20/04	209.40	
LB PMT	8/03/04	LOCKBOX27008030499	49.75-		.00	
BL BILL	7/20/04	CYCLE BILL	49.75	7/21/04	49.75	
LB PMT	5/03/04	LOCKBOX27005030499	26.50-		.00	
BL BILL	4/20/04	CYCLE BILL	26.50	4/21/04	26.50	
LB PMT	1/29/04	LOCKBOX27001290499	31.15-		.00	
BL BILL	1/19/04	CYCLE BILL	31.15	1/20/04	31.15	
LB PMT	10/30/03	LOCKBOX27010300399	38.90-		.00	
BL BILL	10/21/03	CYCLE BILL	38.90	10/22/03	38.90	+

OK Exit Cancel Customer/Location functions

6

11/04/2004 2:23:44 PM

Customer ID 17893 Name KASSEL, JEFFREY S
Location ID 12136 Address 22 APPLETON ST

Cycle/Route 02 / 02 Amount due 209.40
Initiation date 1/01/42 Pending .00
Termination date Customer/Location status A

Transaction Type	Transaction Date	Description	Amount	Reference Date	Running Balance
LB PMT	8/05/03	LOCKBOX27008050399	31.15-		.00
BL BILL	7/21/03	CYCLE BILL	31.15	7/22/03	31.15
LB PMT	5/05/03	LOCKBOX27005050399	28.05-		.00
BL BILL	4/21/03	CYCLE BILL	28.05	4/22/03	28.05
LB PMT	2/05/03	LOCKBOX27002050399	28.05-		.00
BL BILL	1/21/03	CYCLE BILL	28.05	1/22/03	28.05
LB PMT	10/29/02	LOCKBOX27010290299	38.90-		.00
BL BILL	10/21/02	CYCLE BILL	38.90	10/22/02	38.90
LB PMT	8/19/02	LOCKBOX27008190299	29.60-		+

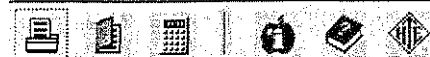
OK

Exit

Cancel

Customer/Location functions

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11/04/2004 2:23:51 PM

Customer ID 17893 Name KASSEL, JEFFREY S
Location ID 12136 Address 22 APPLETON ST

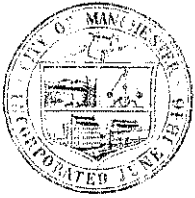
Cycle/Route 02 / 02 Amount due 209.40
Initiation date 1/01/02 Pending .00
Termination date Customer/Location status A

Display

Transaction Type	Transaction Date	Description	Amount	Reference Date	Running Balance
BL BILL	7/22/02	CYCLE BILL	29.60	7/23/02	29.60
LB PMT	5/23/02	LOCKBOX27005230299	28.05-		.00
BL BILL	4/22/02	CYCLE BILL	28.05	4/23/02	28.05
LB PMT	1/31/02	LOCKBOX27001310299	29.60-		.00
BL BILL	1/21/02	CYCLE BILL	29.60	1/22/02	29.60
LB PMT	11/02/01	LOCKBOX27011020199	28.05-		.00
BL BILL	10/22/01	CYCLE BILL	28.05	10/23/01	28.05
LB PMT	8/02/01	LOCKBOX27008020199	24.95-		.00
BL BILL	7/23/01	CYCLE BILL	24.95	7/24/01	24. +

OK Exit Cancel Customer/Location functions

6



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

November 15, 2004

Dayton M. and Concepcion M. Spaulding
126 Pasture Drive
Manchester, NH 03102

Re: Drainage issues

We are in receipt of your communication of November 8th regarding drainage issues in the Pasture Drive development area. We have referred your concern to the Aldermanic Committee on Community Improvement. The Committee is scheduled to meet on December 14th.

Please feel free to contact our office anytime after Friday, December 10 to confirm the meeting date and time. I have also provided copies of your communication to the Building and Highway Departments.

Sincerely,

Leo R. Bernier
City Clerk

C: Public Works Director
Building Commissioner

NOVEMBER 8, 2004

LEO R. BERNIER, CITY CLERK
CITY OF MANCHESTER,
ONE CITY HALL PLAZA,
MANCHESTER, N.H. 03101

DEAR MR. BERNIER:

NOVEMBER 30, 1999 WE PURCHASED A HOME AT 126 PASTURE DRIVE, MANCHESTER, N.H. THE PROPERTY WAS DEVELOPED AND CONSTRUCTED BY MOREAU CONSTRUCTION CO. OF BEDFORD, N.H. THE DEVELOPMENT WAS KNOWN AS "MEADOWCREST" AT THE TIME OF OUR PURCHASE.

AT THE TIME OF PURCHASE THE PROPERTY INCLUDED DRAINAGE PLAN IN THE REAR OF OUR HOME CONSISTING OF FOUR (4) WET AREAS (LAGOONS, PONDS, DITCHES ?) TO DRAIN RAIN WATER FROM THE HILL SLOPING AWAY FROM THE PARKER-VARNEY SCHOOL AREA AT THE TOP OF THE HILL. SUCH WAS THE DRAINAGE PLAN FOR FIVE OR SIX HOMES. I ASSUME THE CITY OF MANCHESTER REQUIRED THE DRAINAGE PLAN BEFORE DEVELOPMENT OF THE LAND WAS AUTHORIZED. WE WERE PLEASED WITH THAT PLAN AND HAD NO COMPLAINTS REGARDING ITS FUNCTION.

IN THE SPRING OF 2004 ONE NEIGHBOR, WHOSE LAND ABUTS OURS, FILLED IN ABOUT ONE HALF OF THE DRAINAGE AREA THAT DRAINED OUR LAND AND THEIRS. THAT LEFT US WITH HALF OF ONE OF THE ORIGINAL DRAINAGE AREAS. TWO MORE NEIGHBORS DID LIKEWISE DURING THE SUMMER. WE HAVE BEEN TOLD AN EASEMENT HAD BEEN GRANTED BY THE CITY ALLOWING THE FILL WORK. RESULT? WE ARE LEFT WITH A POOL, SINK HOLE OR POND THAT STANDS THERE. I HAVE TRIED TO FIND A WAY TO SOLVE THE PROBLEM WITHOUT SUCCESS. A SOLUTION, I THINK, REQUIRES EQUIPMENT AND PEOPLE WHO KNOW HOW TO USE IT. I AM 82 YEARS OF AGE AND STILL ABLE TO WORK HARD FOR SHORT PERIODS OF TIME. BUT, I CANNOT OPERATE HEAVY EQUIPMENT.

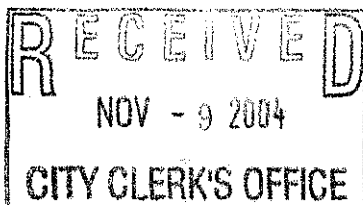
IF THOSE WHO FILLED THEIR DRAINAGE AREAS REQUIRED AN EASEMENT TO DO SO, IT HAS TO MEAN THEY WERE LEGALLY RESTRICTED FROM DURING SO UNDER ORIGINAL DEVELOPMENT RESTRICTIONS. WHAT RIGHTS DO OWNERS HAVE WHO BOUGHT UNDER CERTAIN REQUIREMENTS ONLY TO HAVE EASEMENTS LEAD TO DAMAGE TO THEIR PROPERTY?

OUR BACK YARD TAKES THE MOST RUN-OFF OF RAIN WATER FROM THE HILL. ORIGINALLY DISPERSED IN FOUR (4) DRAIN AREAS WE NOW HAVE HALF OF ONE. IT IS AN UGLY SCENE IN OUR BACK YARD THROUGH NO FAULT OF OUR OWN. CAN, OR WILL THE CITY OF MANCHESTER HELP WITH THIS PROBLEM? CORRECTION OF IT, I THINK, WOULD BE A SMALL VENTURE GIVEN APPROPRIATE PEOPLE FOR THE JOB .

THANK YOU.

SINCERELY,

DAYTON M. & CONCEPCION M. SPAULDING



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